



Reprinted
April 15, 2015

ENGROSSED HOUSE BILL No. 1047

DIGEST OF HB 1047 (Updated April 14, 2015 5:44 pm - DI 96)

Citations Affected: IC 6-6; IC 9-13; IC 9-17; IC 9-18; IC 9-21.

Synopsis: Various motor vehicle matters. Authorizes the use of mini-trucks on Indiana roads. Requires a mini-truck that is operated on an Indiana road to be titled and registered. Prohibits the operation of a mini-truck on an interstate highway. Requires a dealer of mini-trucks to register as a dealer. Imposes an annual excise tax of \$30 on a mini-truck. Removes the requirement that an application for the fleet registration program for common registration dates for fleet vehicles contain a certificate of title and registration for all fleet vehicles in the exact name of the fleet operator. Removes outdated language.

Effective: July 1, 2015; January 1, 2016.

Wolkins, Cherry, Harman, Forestal
(SENATE SPONSORS — YODER, CRIDER, STOOPS)

January 6, 2015, read first time and referred to Committee on Roads and Transportation.
January 14, 2015, reported — Do Pass.
January 20, 2015, read second time, ordered engrossed. Engrossed.
January 22, 2015, read third time, passed. Yeas 88, nays 3.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Homeland Security & Transportation.
April 7, 2015, reported favorably — Do Pass.
April 14, 2015, read second time, amended, ordered engrossed.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1047

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-6-5-5.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2016]: **Sec. 5.7. (a) There is imposed an annual excise**
4 **tax on mini-trucks (as defined in IC 9-13-2-103.1). The tax shall be**
5 **paid at the same time the mini-truck is registered.**

6 **(b) Except for the amount of tax imposed, a mini-truck is to be**
7 **treated the same as a vehicle for purposes of this chapter.**

8 **(c) The amount of tax owed for a mini-truck under subsection**
9 **(a) for a year is thirty dollars (\$30). The tax is due at the same time**
10 **the owner is or would be required to pay the motor vehicle excise**
11 **tax under this chapter.**

12 SECTION 2. IC 9-13-2-42, AS AMENDED BY P.L.62-2014,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JANUARY 1, 2016]: **Sec. 42. (a) "Dealer" means, except as otherwise**
15 **provided in this section, a person who sells to the general public,**

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including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year. The term includes a person who sells off-road vehicles, ~~and, after December 31, 2013, a person who sells~~ snowmobiles, **or mini-trucks**. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) An automotive mobility dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public at least six (6):

- (1) boats; or
- (2) trailers:
 - (A) designed and used exclusively for the transportation of watercraft; and
 - (B) sold in general association with the sale of watercraft;

per year.

(d) "Dealer", for purposes of IC 9-32, and unless otherwise provided, means:

- (1) an automobile auctioneer;
- (2) an automotive mobility dealer;
- (3) a converter manufacturer;
- (4) a dealer;
- (5) a distributor;
- (6) a distributor representative;
- (7) a factory or manufacturer representative;
- (8) a manufacturer;
- (9) a salvage dealer;
- (10) a transfer dealer;
- (11) a watercraft dealer; or
- (12) a wholesale dealer.

SECTION 3. IC 9-13-2-103.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 103.1. "Mini-truck" means a truck that:**

- (1) is powered by an internal combustion engine with a piston or rotary displacement of not less than six hundred sixty (660) cubic centimeters;**
- (2) is sixty (60) inches or less in width;**



- (3) has an unladen dry weight of one thousand six hundred (1,600) pounds or less;
- (4) can achieve a top speed of not more than sixty (60) miles per hour;
- (5) is manufactured with a locking enclosed cab and a heated interior; and
- (6) is operated on a highway.

SECTION 4. IC 9-17-1-1, AS AMENDED BY P.L.221-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 1. (a) This article does not apply to the following:

- (1) Special machinery.
- (2) Farm wagons.
- (3) A golf cart when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).
- (4) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.
- (5) Snowmobiles.
- (6) Motor driven cycles.
- (7) Except as otherwise provided, any other vehicle that is not registered in accordance with IC 9-18-2.

(b) IC 9-17-2, IC 9-17-3, IC 9-17-4, and IC 9-17-5 apply to a mini-truck.

SECTION 5. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 2. This article applies to a mini-truck with the exception of the following:

- (1) IC 9-18-7.
- (2) IC 9-18-9 through IC 9-18-11.
- (3) IC 9-18-13 through IC 9-18-14.
- (4) IC 9-18-27 through IC 9-18-28.
- (5) IC 9-18-32.

SECTION 6. IC 9-18-12.5-7, AS ADDED BY SEA 506-2015, SEC. 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An operator may apply to the bureau to participate in the program.

(b) An application must be in the form and manner prescribed by the bureau and must contain the following information:

- (1) The name and business address of the operator.
- (2) The preferred expiration month requested by the operator.



1 ~~(3) Certificates of title and registration for all fleet vehicles in the~~
 2 ~~exact name of the operator.~~

3 ~~(4)~~ (3) All counties in which the fleet vehicles are registered.

4 ~~(5)~~ (4) Any other information required by the bureau.

5 The bureau may designate an expiration month that differs from the
 6 preferred expiration month requested by the operator under subdivision
 7 (2).

8 (c) The bureau shall approve an application if the bureau is satisfied
 9 that the application is complete and accurate. Upon approval of the
 10 application, the bureau shall assign the fleet operator a fleet number.

11 (d) If an application does not contain a preferred expiration month,
 12 the bureau may:

13 (1) deny the application; or

14 (2) designate an expiration month and approve the application.

15 (e) An operator may not register a vehicle as a fleet vehicle in a
 16 county that is not designated in the application.

17 SECTION 7. IC 9-21-8-46, AS AMENDED BY P.L.210-2005,
 18 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JANUARY 1, 2016]: Sec. 46. A person may not drive or operate:

20 (1) an implement of agriculture designed to be operated primarily
 21 in a farm field or on farm premises; ~~or~~

22 (2) a piece of special machinery; ~~or~~

23 **(3) a mini-truck;**

24 upon any part of an interstate highway.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1047, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1047 as introduced.)

SOLIDAY

Committee Vote: Yeas 12, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred House Bill No. 1047, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1047 as printed January 15, 2015.)

YODER, Chairperson

Committee Vote: Yeas 8, Nays 0

SENATE MOTION

Madam President: I move that Engrossed House Bill 1047 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2016]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-5-5.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 5.7. (a) There is imposed an annual excise tax on mini-trucks (as defined in IC 9-13-2-103.1). The tax shall be paid at the same time the mini-truck is registered.**

(b) Except for the amount of tax imposed, a mini-truck is to be treated the same as a vehicle for purposes of this chapter.

(c) The amount of tax owed for a mini-truck under subsection (a) for a year is thirty dollars (\$30). The tax is due at the same time the owner is or would be required to pay the motor vehicle excise

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tax under this chapter."

Page 3, delete lines 31 through 41.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1047 as printed April 8, 2015.)

YODER

SENATE MOTION

Madam President: I move that Engrossed House Bill 1047 be amended to read as follows:

Page 3, between lines 22 and 23, begin a new paragraph and insert:
 "SECTION 5. IC 9-18-12.5-7, AS ADDED BY SEA 506-2015, SEC. 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An operator may apply to the bureau to participate in the program.

(b) An application must be in the form and manner prescribed by the bureau and must contain the following information:

- (1) The name and business address of the operator.
- (2) The preferred expiration month requested by the operator.
- ~~(3) Certificates of title and registration for all fleet vehicles in the exact name of the operator.~~
- ~~(4)~~ (3) All counties in which the fleet vehicles are registered.
- ~~(5)~~ (4) Any other information required by the bureau.

The bureau may designate an expiration month that differs from the preferred expiration month requested by the operator under subdivision (2).

(c) The bureau shall approve an application if the bureau is satisfied that the application is complete and accurate. Upon approval of the application, the bureau shall assign the fleet operator a fleet number.

(d) If an application does not contain a preferred expiration month, the bureau may:

- (1) deny the application; or
- (2) designate an expiration month and approve the application.

(e) An operator may not register a vehicle as a fleet vehicle in a county that is not designated in the application."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1047 as printed April 8, 2015.)

YODER

